

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II)
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

From the INTERNATIONAL BUREAU

To:

WALDER, Martin B.
Riederer Hasler & Partner Patentanwälte AG
Elestastrasse 8
CH-7310 Bad Ragaz
SUISSE

| |
|--|
| Date of mailing (day/month/year) 08 September 2006 (08.09.2006) |
| Applicant's or agent's file reference 2458-9865 |
| International application No. PCT/CH2004/000683 |
| Applicant GSCHWEND, Christian |

IMPORTANT NOTIFICATION

International filing date (day/month/year)
11 November 2004 (11.11.2004)

1. Transmittal of the translation to the applicant.



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Yolaine Cussac

Faxsimile No. +41 22 338 82 70

Faxsimile No. +41 22 338 82 70

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

| | | | |
|--|--|--|------------------|
| Applicant's or agent's file reference 2458-9865 | FOR FURTHER ACTION | | See item 4 below |
| International application No. PCT/CH2004/000683 | International filing date (<i>day/month/year</i>) 11 November 2004 (11.11.2004) | Priority date (<i>day/month/year</i>) 06 December 2003 (06.12.2003) | |
| International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237 | | | |
| Applicant GSCHWEND, Christian | | | |

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).
2. This REPORT consists of a total of 6 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

| | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis.2).

| | | |
|---|--|---|
| | | Date of issuance of this report 29 August 2006 (29.08.2006) |
| The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70 | | Authorized officer Yolaine Cussac e-mail: pt11@wipo.int |

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

TRANSLATION
PCT

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

| | | | |
|--|---|---|-----------------------------|
| | | Date of mailing (day/month/year) | See form PCT/ISA/210 |
| Applicant's or agent's file reference 2458-9865 | | FOR FURTHER ACTION See paragraph 2 below | |
| International application No. PCT/CH2004/000683 | International filing date (day/month/year) 11.11.2004 | Priority date (day/month/year) 06.12.2003 | |
| International Patent Classification (IPC) or both national classification and IPC A47G29/08, A44C5/00, G08B13/14 | | | |
| Applicant GSCHWEND, Christian | | | |

1. This opinion contains indications relating to the following items:

| | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

| | |
|--|--------------------|
| Name and mailing address of the ISA/EP | Authorized officer |
| Facsimile No. | Telephone No. |

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/CH2004/000683

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
 a sequence listing
 table(s) related to the sequence listing
 - b. format of material
 in written format
 in computer readable form
 - c. time of filing/furnishing
 contained in the international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

The application does not meet the requirements of PCT Article 6. In claim 1, the feature that the first end region is of stretched design, which is mentioned as being characterizing on page 2, lines 35-36, of the description, is not claimed. It is only claimed in claim 1 that the first end region is of stretched design in the region of the overlap. Claim 1 is therefore not supported by the description.

This opinion is based on claim 1 in which the feature that the first end region is of stretched design has been introduced.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/CH2004/000683

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | | |
|-------------------------------|--------|------|-----|
| Novelty (N) | Claims | 1-12 | YES |
| | Claims | | NO |
| Inventive step (IS) | Claims | 1-12 | YES |
| | Claims | | NO |
| Industrial applicability (IA) | Claims | 1-12 | YES |
| | Claims | | NO |

2. Citations and explanations:

1. Reference is made to the following document:

D1: FR 1 015 197 A (mentioned in the description).

2. D1 is considered the closest prior art to the device of claim 1 mentioned above and discloses, see figures 1-5 (the references between parentheses apply to D1), a device for hanging handbags on tables, with a band (12) which is U-shaped in the open position and is composed of an elastically resilient material, in particular a spring steel band, and which has

- a first stretched limb (16) which ends in a first end region (18), and
- a second limb (12) which is curved outwards in a C-shaped manner and ends in a second end region (19) which is bent back into the interior of the U, and
- a connecting arc connecting the two limbs (16, 12), in which device
- the two end regions (18, 19) can be fitted together and the device [the band] can thus be repeatedly closed to form a ring and can be opened again,
- in a closed position, the second end region (19) is guided around the first end region (18),

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/CH2004/000683

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

- the first end region (18) and the bent back second end region (19), which overlaps the first end region (18) in the closed position, are designed to have a planar surface in the region of the overlap and to be stretched, and
- the first end region (18) and the bent back second end region (19), which overlaps the first end region (18) in the closed position, are oriented parallel to each other in the region of the overlap in the closed position.

2.1. The device of claim 1 therefore differs from the known device

- in that the first end region is of stretched design, and
- in that the second end region (19) presses against the first end region (18) from the outside in the closed position.

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

2.2. The problem addressed by the first difference can therefore be considered that of the selection of an alternative design of the first end region.

The proposed solution cannot be gathered from the prior art nor is an indication for solving it provided therein, in-particular in combination with the second difference, and it therefore involves an inventive step (PCT Article 33(3)).

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/CH2004/000683

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

2.3. Claims 2 to 12 are dependent on claim 1 and
therefore likewise meet the PCT requirements for novelty
and inventive step.